

ATTORNEY DOCKET NO. BA0346.1 (NORT10-00230)

U.S. SERIAL NO. 09/340,478

PATENT

REMARKS

Claims 1-36 are pending in the application.

Claims 1-4, 9-15, 17-23, 25-31, 33, 34 and 36 are rejected.

Claims 5-8, 16, 24, 32 and 35 are objected to.

Claims 1-36 have been canceled, without prejudice.

New Claims 37-59 have been added, as set forth herein.

I. REJECTIONS UNDER 35 U.S.C. § 103

Claims 1, 3-4, 13-15, 17-19, 21-23, 25-27, 29-31, 33-34 and 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Alexander, et al. (US 5,909,564) in view of Derby, et al. (US 5,483,522) and Michels, et al. (US 2003/00048864). Claims 2 and 9-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Alexander, et al. (US 5,909,564) in view of Derby, et al. (US 5,483,522) and Michels, et al. (US 2003/00048864) and further in view of Daruwalla, et al. (US 6,128,296). Claims 11-12, 20 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Alexander, et al. (US 5,909,564) in view of Derby, et al. (US 5,483,522) and Michels, et al. (US 2003/00048864) and further in view of Akaboshi, et al. (US 5,621,908). The rejections are respectfully traversed.

Applicant has canceled Claims 1-36, without prejudice. Accordingly, the Applicant respectfully requests withdrawal of the § 103 rejections of these rejected claims.

ATTORNEY DOCKET NO. BA0346.1 (NORT10-00230)
U.S. SERIAL NO. 09/340,478
PATENT

NEW CLAIMS 37-69

Applicant thanks the Examiner for the indication that Claims 5-8, 16, 24, 32 and 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has rewritten dependent Claims 5, 6, 16, 24, 32 and 35 as new independent Claims 37, 43, 46, 52, 58 and 59, respectively.

Applicant has rewritten dependent Claims 7 and 8 as new dependent Claims 44 and 45, respectively.

Applicant has added new dependent Claims 38-42, 47-51 and 53-57 which include various elements/features of various original dependent claims. However, all of these new dependent claims depend from the allowable independent claims, and thus are allowable.

III. CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

ATTORNEY DOCKET NO. BA0346.1 (NORT10-00230)

U.S. SERIAL NO. 09/340,478

PATENT

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at rmccutcheon@davismunck.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date:

10/12/2004

Robert D. McCutcheon
Registration No. 38,717

P.O. Drawer 800889
Dallas, Texas 75380
(972) 628-3632 (direct dial)
(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: rmccutcheon@davismunck.com